

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

QUINCY BLAKELY and KIMBERLY	§	
BLAKELY,	§	
Plaintiffs,	§	
	§	
v.	§	Civil Action No. 3:17-CV-745-B
	§	
STEVEN ANDRADE, et al.,	§	
Defendants.	§	

ORDER ACCEPTING FINDINGS AND RECOMMENDATION
OF THE UNITED STATES MAGISTRATE JUDGE


After reviewing all relevant matters of record in this case, including the Findings, Conclusions, and Recommendation of the United States Magistrate Judge and any objections thereto, in accordance with 28 U.S.C. § 636(b)(1), the undersigned District Judge is of the opinion that the Findings and Conclusions of the Magistrate Judge are correct and they are accepted as the Findings and Conclusions of the Court.

The *Motion to Dismiss Plaintiffs' Second Amended Complaint Under Fed. R. Civ. P. 12(b)(1) and (6) and Brief in Support of Defendants Steven Andrade, Brandon Howell, Keith Samet, Christopher Smith, Floyd Kincaide, Evelio Rivas, Doris Irvin, Candace Carlsen, David Robertson, Lupe Valdez and Dallas County*, filed April 11, 2018 (doc. 110), is **GRANTED in part** and **DENIED in part**; and the plaintiffs' *Sworn Emergency Motion for Injunction and Restraining Order*, filed October 5, 2018 (doc. 150), is **DENIED**.

By separate judgment, Quincy Blakely's failure to train claim against Dallas County, and his claims against Doris Irvin, Candace Carlsen, David Robertson, and the Dallas County Sheriff will be **DISMISSED with prejudice** for failure to state a claim upon which relief can be granted, and his claims against Phillip Wainscott and remaining claims against Dallas County will be *sua sponte*

DISMISSED with prejudice for failure to state a claim upon which relief can be granted.

SIGNED this 23rd day of January, 2019.



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE